

Kansas Corporation Commission
Commission Meeting
July 14, 2016
10:00 a.m. 1st floor hearing room
KCC Offices, 1500 Arrowhead, Topeka, Kansas

MINUTES

The Commission convened the regular scheduled open meeting of the Commission at 10:00 a.m. on July 14, 2016 in the 1st floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

Present: Chairman Emler, Commissioner Albrecht and Commissioner Apple. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Albrecht moved for approval of the Consent Agenda: All other listed matters as presented for July 14, 2016 on the four page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Apple seconded the motion. The motion was approved.
2. **Noticed:**
 - A. **Docket No. 16-GIMM-411-KHP: *In the Matter of the Investigation of Carlson Auction Service, Inc., of Topeka, Kansas, Pursuant to the Kansas Highway Patrol Issuance of a Notice of Violation for Violation(s) of the Kansas Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority.***

Commissioner Apple moved for approval of order #16-2282 - *Order Denying Motion for Reconsideration*. Commissioner Albrecht seconded the motion. The motion was approved.

- B. **Docket No. 16-KCPE-593-ACQ: *In the Matter of the Joint Application of Great Plains Energy Incorporated, Kansas City Power & Light Company and Westar Energy, Inc. for Approval of the Acquisition of Westar Energy, Inc. by Great Plains Energy Incorporated.***

Commissioner Albrecht moved for approval of order #16-2280 - *Order Designating Prehearing Officers; Granting Intervention to CURB; and Protective and Discovery Order*. Commissioner Apple seconded the motion. The motion was approved.

- C. **Docket No. 16-KCPE-593-ACQ: *In the Matter of the Joint Application of Great Plains Energy Incorporated, Kansas City Power & Light Company and Westar Energy, Inc. for Approval of the Acquisition of Westar Energy, Inc. by Great Plains Energy Incorporated.***

Commissioner Apple moved for approval of order #16-2284 - *Order Granting Intervention to Spirit, Goodyear, Coffeyville Resources, Cargill and CCPS Transport*. Commissioner Albrecht seconded the motion. The motion was approved.

- D. **Docket No. 16-KCPE-446-TAR: *In the Matter of the Application of Kansas City Power & Light Company For Approval of Its Demand-Side Management Portfolio Pursuant to the Kansas Energy Efficiency Investment Act ("KEEIA"), K.S.A. 66-1283.***

Commissioner Albrecht moved for approval of order # 16-2316 - *Order Granting Petition for Reconsideration*. Commissioner Apple seconded the motion. The motion was approved.

- E. **Docket No. 16-KCPE-446-TAR: *In the Matter of the Application of Kansas City Power & Light Company For Approval of Its Demand-Side Management Portfolio Pursuant to the Kansas Energy Efficiency Investment Act ("KEEIA"), K.S.A. 66-1283.***

Commissioner Albrecht moved for approval of order #16-2315 - *Order Granting Petition to Intervene of Brightergy, LLC*. Commissioner Apple seconded the motion. The motion was approved.

- F. **Docket No. 16-KCPE-446-TAR: *In the Matter of the Application of Kansas City Power & Light Company For Approval of Its Demand-Side Management Portfolio Pursuant to the Kansas Energy Efficiency Investment Act ("KEEIA"), K.S.A. 66-1283.***

Commissioner Albrecht moved for approval of order #16-2312 - *Order Granting Petition for Intervention of the National Housing Trust*. Commissioner Apple seconded the motion. The motion was approved.

3. Other matters:

- A. Chairman Emler moved to meet in Executive Session for Attorney/Client privileged matters, pursuant to KSA 75-4319 (b)(2,) for consultation with an attorney, to obtain legal advice, for a period of 20 minutes. Also called into the Executive Session was Deputy General Counsel, Sam Feather. Commissioner Apple seconded the motion. The motion was approved.

The Commission moved into Executive Session at 10:10 a.m. and reconvened in public session at 10:30 a.m.

The Commission took no action following the Executive Session.

- B. Chairman Emler moved to meet in Executive Session for Attorney/Client privileged matters, pursuant to KSA 75-4319 (b)(2,) for consultation with an attorney, to obtain legal advice, for a period of 15 minutes. Also called into the Executive Session was Assistant General Counsel, Dustin Kirk. Commissioner Apple seconded the motion. The motion was approved.

The Commission moved into Executive Session at 10:32 a.m. and reconvened in public session at 10:47 a.m.

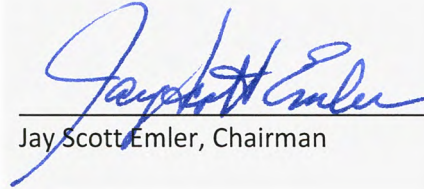
The Commission took no action following the Executive Session.

There being no further matters before the Commission, Commissioner Albrecht moved for adjournment of the Commission meeting. Commissioner Apple seconded the motion. The motion was approved. The Commission adjourned the July 14, 2016 Commission Meeting at 10:48 a.m.

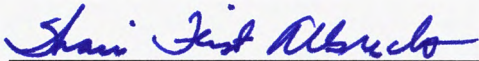
Respectfully submitted,



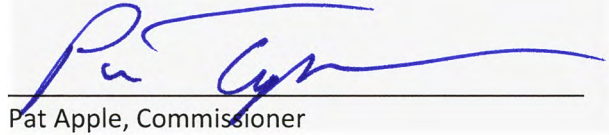
Amy L. Green
Secretary to the Commission



Jay Scott Emler, Chairman



Shari Feist Albrecht, Commissioner



Pat Apple, Commissioner



ITEMS OF Consent Agenda

Approval Date: Thursday, July 14, 2016

NOTICE TO THE PUBLIC: There will be no separate discussion of Consent Agenda items as they are considered to be routine by the Kansas Corporation Commission. Unless removed from the website's Consent Agenda, the orders appearing on the Consent Agenda will become the Order of the full Commission at the Commission's regularly scheduled Business Meeting. If Commission staff or a Commissioner requests an item be removed from the Consent Agenda, the affected item may be considered separately or placed on the earliest possible Business Meeting agenda for discussion.

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
1	In the matter of an Order to Show Cause issued to Osborn Energy, L.L.C. ("Operator") regarding responsibility under K.S.A. 55-17 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-4115-CSHO	
2	In the Matter of NuStar Pipeline Operating Partnership, L.P. Filing Tariff Revisions for Commission Approval of Tariff K.C.C. No. 1 and Canceling K.C.C. No. 16. <i>Suspension Order</i>	16-KNBP-597-TAR	
3	In the matter of an Order to Show Cause issued to John M. Denman Oil Co., Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. <i>Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference</i>	16-CONS-4111-CSHO	

Consent Agenda

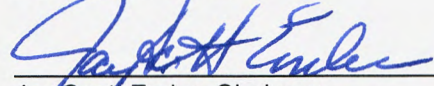
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of An Investigation to Determine the Assessment Rate and the Affordable Local Service Rate for Rate-of-Return Regulated Carriers for the Nineteenth Year of the Kansas Universal Service Fund, Effective March 1, 2015. Order Accepting GVNW's KUSF Year 19 Audit Selections, Proposed Revisions to Selection Criteria and Audit Review Procedures	15-GIMT-073-GIT	
5	In the matter of an Order to Show Cause issued to J. W. Oil, LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference	16-CONS-4110-CSHO	
6	In the matter of an Order to Show Cause issued to Kansas Oil Resources LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference	16-CONS-4112-CSHO	
7	In the matter of an Order to Show Cause issued to Little Creek Oil, LLC ("Operator") regarding responsibility under K.S.A. 55-179 unplugged wells on an expired license. Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference	16-CONS-4113-CSHO	
8	In the matter of an Order to Show Cause issued to Central States Energy LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference	16-CONS-4109-CSHO	
9	In the matter of an Order to Show Cause issued to Lone Wolf New Mexico LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference	16-CONS-4114-CSHO	
11	In the matter of an Order to Show Cause issued to ADR Operating, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 unplugged wells on an expired license. Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference	16-CONS-4108-CSHO	
12	In the Matter of the Regulation of Public Utilities and Common Carriers, and Providing Means for Paying Certain Costs and Expenses in Connection with Such Regulation, as Provided in K.S.A. 66-1501 to 66-1510. Order Assessing Commission Costs Pursuant to KSA 66-1503	17-ALLX-001-ASM	
13	In the Matter of the Regulation of Public Utilities and Common Carriers, and Providing Means for Paying Certain Costs and Expenses in Connection with Such Regulation, as Provided in K.S.A. 66-1501 to 66-1510. Order Assessing CURB Costs Pursuant to KSA 66-1503	17-ALLB-002-ASM	
14	In the Matter of the General Investigation to Examine Issues Surrounding Rate Design for Distributed Generation Customers Order Granting Petition to Intervene of The Alliance for Solar Choice	16-GIME-403-GIE	

Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
15	In the matter of the failure of Donna Farris dba Farris Well Service ("Operator") to comply with K.A.R. 82-3-111 at the Reed #11-31 Stanton County, Kansas. Penalty Order - Donna Farris dba Farris Well Service	17-CONS-3004-CPEN	
16	In the Matter of the General Investigation to Examine Issues Surrounding Rate Design for Distributed Generation Customers Order Granting Petition to Intervene of CURB	16-GIME-403-GIE	
17	In the Matter of the General Investigation to Examine Issues Surrounding Rate Design for Distributed Generation Customers Order Granting Petition to Intervene of Sunflower Electric and Mid-Kansas Electric	16-GIME-403-GIE	
18	In the Matter of the General Investigation to Examine Issues Surrounding Rate Design for Distributed Generation Customers Order Granting Petition to Intervene of Brightergy, LLC	16-GIME-403-GIE	
19	In the matter of an Order to Show Cause issued to E.O.R. Petroleum Company ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Default Order	16-CONS-4030-CSHO	
20	In the matter of an Order to Show Cause issued to PETROX LLC ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license. Order to Show Cause, Designating A Prehearing Officer, and Setting a Prehearing Conference	16-CONS-4116-CSHO	
21	In the Matter of a General Investigation Into the Adjustment of Intrastate Switched Access Charges for Rural Telephone Companies in Compliance with K.S.A 66-2005(c) and FCC Reforms. Order Opening Docket; Requiring RLEC Data Filings; Procedural Schedule; Discovery Order; Protective Order; General Service Matters	16-GIMT-587-GIT	
22	In the Matter of the General Investigation to Examine Issues Surrounding Rate Design for Distributed Generation Customers Order Granting Petition to Intervene of Cromwell Environmental, Inc.	16-GIME-403-GIE	
23	In the matter of the failure of Red Oak Energy, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Anchor D #3-23-A in Kiowa County, Kansas. Penalty Order - Red Oak Energy, Inc.	17-CONS-3003-CPEN	
24	In the Matter of a General Investigation to Examine the Effect of Kansas Senate Bill No. 91 Regarding Renewable Energy Standards. Order Granting Waiver of Reporting Deadline	16-GIME-258-GIE	
25	In the matter of an Order to Show Cause issued to Kephart Drilling, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 unplugged wells on an expired license. Order Approving Settlement Agreement	16-CONS-395-CSHO	
26	In the Matter of the Application of Nex-Tech, Inc., Filing for Kansas Video Service Authorization. Order Amending Video Service Authorization	07-NTHT-1054-VSA	

The above-captioned matter(s) were approved by the Commission, unless noted as removed.

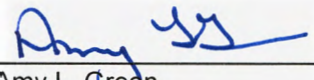
For the Commission :


Jay Scott Emler, Chairman


Shari Feist Albrecht, Commissioner


Pat Apple, Commissioner

Attest:


Amy L. Green
Secretary to the Commission